IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.523 OF 2005

Ashok Shankarrao Pawar ...Petitioner
Vs.
Sub Divisional Officer, Islampur & Anr. ...Respondents

Mr. J.P. Kharge Adv. for Petitioner
Mr. C.R. Sonawane A.G.P. for the State

CORAM: F.I.REBELLO & ROSHAN DALVI, JJ.
DATED: 30TH NOVEMBER , 2005

P.C.

. Rule. Heard forthwith.

2. It is the case of the Petitioner that he belongs to Hindu Thakar, which is a notified S.T. The Petitioner applied for a caste certificate. The same was rejected by order dated 1st October 2003. In the English translation which has been placed on record it emerges that the STO Islampur rejected application of the Petitioner on the footing that Hindu Thakar Community is no longer O.B.C. and that there is no mention that it is a S.T. The Petitioner had earlier moved the Caste Scrutiny Committee which had rejected his application. We fail to understand on what basis the Petitioner directly approached the Committee.

3. Our attention is invited to the Judgment of the learned Division Bench of this Court in the case

of Subhanrao Yashwantrao Jadhav Vs. The State of Maharashtra & Ors. in Writ Petition No.4027 of 1998 which was decided on 4th August 1998. The learned Division Bench directed the STO to issue the caste certificate as Hindu Thakar considering the material made available on record by the Petitioner. In the light of that following order:

ORDER

. The S.T.O., Islampur is directed after the Petitioner makes an application with accompanying the documents within 4 weeks from today to consider the said documents considering the G.R. dated 7th March 1996. If the Petitioner is eligible then to issue caste certificate according to law.

. This exercise should be completed not later than 8 weeks from the receipt of application.

. Rule made absolute accordingly. No order as to costs.

(F.I.REBELLO,J.)

(ROSHAN DALVI, J.)